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John S. Beulick  
Armstrong Teasdale LLP  
One Metropolitan Square, Suite 2600  
St. Louis, MO 63102

In re Application of PNIOK et al  
U.S. Application No.: 10/019,808  
Int. Application No.: PCT/EP00/00395  
Int. Filing Date: 19 January 2000  
Priority Date: 31 March 1999  
Attorney Docket No.: 75DE00606  
For: CURRENT METER

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DECISION

This application is before the PCT Legal Office for consideration of issues arising under 35 U.S.C. 371.

### **BACKGROUND**

On 19 January 2000, applicant filed international application PCT/EP00/00395, which claimed priority of an earlier Germany application filed 31 March 1999. A copy of the international application was communicated to the USPTO from the International Bureau on 12 October 2000. A Demand for international preliminary examination, in which the United States was elected, was filed prior to the expiration of nineteen months from the priority date. Accordingly, the thirty-month period for paying the basic national fee in the United States expired at midnight on 01 October 2001 (30 September 2001 was a Sunday).

International application PCT/EP00/00395 became abandoned as to the United States of America at midnight on 01 October 2001 for failure to timely file the basic national fee.

On 08 March 2002, the United States Designated/Elected Office (DO/EO/US) mailed a Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905).

On 12 November 2002, the DO/EO/US mailed a Notification of Defective Response (Form PCT/DO/EO/916).

**CONCLUSION**

The Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905) mailed 08 March 2002 and the Notification of Defective Response (Form PCT/DO/EO/916) mailed 12 November 2002 are hereby VACATED.

This application is being forwarded to the United States Designated/Elected Office (DO/EO/US) for further processing in accordance with this decision, including preparation and mailing of a Notification of Abandonment (Form PCT/DO/EO/909) which should state that the application is abandoned for failure to timely file the basic national fee.

Please direct further correspondence with respect to this matter to the Commissioner for Patents, Box PCT, Washington, D.C. 20231, and address the contents of the letter to the attention of the PCT Legal Office.



Bryan Tung  
PCT Legal Examiner  
PCT Legal Office

Telephone: 703-308-6614  
Facsimile: 703-308-6459